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CERTIFICATE OF MAILING

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Rachel Mena

PATENT

Attorney Docket No. 39228-0016 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s): Stuart Mohr)	
)	Art Unit: 3762
Application No.: 10/666,536)	
)	Examiner: Unassigned
Filed: 09/19/2003)	
)	
Title Apparatus for Real Time Measure Control of)	
Intra-Operative Effects During Laser Thermal)	
Treatments Using Light Scattering)	
)	

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39228-0016).

Respectfully submitted,

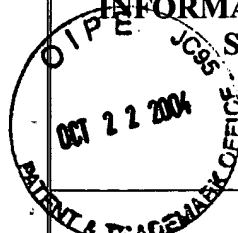
HELLER EHRMAN WHITE & MCAULIFFE LLP

Dated: Oct. 14 2004

By: 

Hao Y. Tung, Reg. No. 43,209

275 Middlefield Road
Menlo Park, CA 94025-3506
(650) 324-7000
Customer No. 25213

INFORMATION DISCLOSURE STATEMENT PTO-1449 			ATTY. DOCKET NO.		SERIAL NO.		
			39228-0016 US		10/666,536		
			APPLICANT Mohr				
			FILING DATE 09/19/2003		GROUP: 3762		
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	4,895,156	01/23/1990	Schulze	128	634	07/02/1986	
	5,657,760	08/19/1997	Ying et al.	128	660.03	01/11/1996	
	5,779,365	07/14/1998	Takaki	374	161	11/08/1993	
	6,152,875	11/28/2000	Hakamata.	600	319	12/28/1998	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Two-dimensional birefringence imaging in biological tissue by polarization-sensitive optical coherence tomography. Johannes F. de Boer, Thomas E. Milner, Martin J.C. van Gemert, J. Stuart Nelson. Optics Letters Vol. 22, No. 12 June 15, 1997						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.